

THE CITY OF CLAYTON

Board of Aldermen
Virtual Zoom Meeting
August 24, 2021
7:39 p.m.

Minutes

NOTE: In accord with the provisions of Section 610.015, RSMo., and multiple declarations of emergency at every level of government, and the prohibition on gatherings of 10 or more persons due to the Coronavirus pandemic, normal requirements for voting in the Board meeting were suspended. Accordingly, votes were taken as if all Board members were physically present and in attendance at the meeting.

Swearing-in of Alderman Gary Feder.

Mayor Harris called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Rich Lintz, Ira Berkowitz, Bridget McAndrew, Susan Buse, Becky Patel, and Gary Feder.

Mayor Harris
City Manager Gipson
City Attorney O'Keefe

Motion made by Alderman McAndrew to approve the August 10, 2021 minutes. Alderman Berkowitz seconded.

Motion to approve the minutes passed unanimously on a voice vote.

PUBLIC REQUESTS AND PETITIONS

Firefighter John Herr, Clayton Fire Department, presented Fire Department Citizen Service Awards to the following individuals:

Joffery Villa and Callie Ward, the St. Louis Club, for assisting with a medical emergency by providing CPR to an individual in cardiac arrest.

St. Louis County Deputy Sheriff(s) Tim Gannon, John Foster, Harvey Burnett, Peter Bommarito, and Deputy Sheriff Supervisor John Connolly, for assisting with a medical emergency by providing CPR and applying an AED to an individual in cardiac arrest.

Swearing-in of Chief Ernest (Ernie) Rhodes, III

A PUBLIC HEARING AND AN ORDINANCE - DOWNTOWN DEVELOPMENT OVERLAY
DISTRICT STANDARDS PROJECT SUMMARY IN PREPARATION FOR FUTURE
CONSIDERATION OF AMENDMENTS TO CHAPTER 410, OVERLAY AND URBAN DESIGN
ZONING DISTRICTS, ARTICLES III AND IV

A MOTION TO ACCEPT THE ST. LOUIS COUNTY BOARD OF ELECTIONS COMMISSION'S
CERTIFICATION OF THE AUGUST 3, 2021 SPECIAL MUNICIPAL ELECTION

Ward 3, Gary Feder - 628 (YES) (100%) – *to complete an unexpired term through 2023*
 Proposition A, 939 – NO (54.40%); 787 – Yes (45.60%)

Motion made by Alderman Lintz to accept the St. Louis County Board of Election Commission's certified election results of the August 3, 2021 election. Alderman Berkowitz seconded.

AN ORDINANCE TO CONSIDER APPROVING A CONTRACT WITH GERSTNER ELECTRIC, INC. FOR THE TRAFFIC MANAGEMENT ENHANCEMENTS PROJECT

In response to Mayor Harris' question, Matt Malick, Director of Public Works, stated that the City has already received federal reimbursement, therefore the City's portion of the cost will be approximately \$75,000.

In response to Alderman McAndrew's question, Matt Malick stated that the project will be city-wide, and the flashing yellow arrows would be conducive to certain locations. He explained that there are other hardware components that have "aged-out, and/or have "failed" in the last few years which will require new hardware. The new signal system has put them in a good position to centralize a management system that already has fiber in the ground, therefore reducing the costs for dealing with possible issues - consultants can perform service tasks remotely versus in-person (in-field). There will not be new posts installed, but instead just the insides replaced.

Alderman Lintz introduced Bill No. 6855, an ordinance to approve a contract with Gerstner Electric, Inc. for the Traffic Management Enhancements Project to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6855, first reading, an Ordinance Approving a Contract with Gerstner Electric, Inc. for the Traffic Management Enhancements Project by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6855 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6855, an ordinance to approve a contract with Gerstner Electric, Inc. for the Traffic Management Enhancements Project to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6855, second reading, an Ordinance Approving a Contract with Gerstner Electric, Inc. for the Traffic Management Enhancements Project by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6714 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING AN ADDENDUM TO THE CONTRACT WITH S.M. WILSON & COMPANY FOR PROFESSIONAL SERVICES RELATED TO THE SHAW PARK ICE RINK

City Manager Gipson reported that the addendum will establish the Gross Maximum Price (GMP) with S.M. Wilson for the Demolition of the Ice Rink Building and Relocation of Park Electrical Service. This project includes the demolition of the Ice Rink Building as well as relocation of the electric service from the building to a separate stand-alone structure in the park.

In response to Alderman Berkowitz' question, Patty DeForrest, Director of Parks, explained that with the removal of the utilities it will allow work at that site and will create easier access for future projects such as the lighting in Shaw Park including any electrical upgrades.

City Manager Gipson added that this is part of the design (ice rink) that was approved by the Plan Commission.

In response to Alderman Buse's question regarding borrowing monies from the Oak Knoll Park fencing project, Patty DeForrest stated that there is no concern with borrowing from the fence project because the fence is not in bad shape and can be easily repaired by staff if needed.

In response to Mayor Harris' question regarding the contingency funds related to environmental clean-up, Patty DeForrest stated that the contract is written with a maximum amount that it will cost for S.M. Wilson to do the work. If there are any savings including the contingency, which will go back to the City, the savings will split, therefore both the City and S.M. Wilson are both incentivized to keep the project within budget. Any monies left then the City can certainly pay for that piece.

In response to Alderman Lintz' question, Patty DeForrest stated that the slab will stay and is currently used for the popular pickleball game, rollerblading, etc. They will rebuild/regrade the road and plant grass. City Manager Gipson added that the lights will remain in place.

In response to Alderman McAndrew's question, Patty DeForrest stated that the road behind the courts will be repaired and patched; the electrical (communications) will be located near fields 1 and 2, tucked away and accessible to Ameren.

Alderman Lintz introduced Bill No. 6856, an ordinance to approve an amendment to the contract with S.M. Wilson for the demolition project in Shaw Park to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6856, first reading, an Ordinance Approving an Addendum to the Contract with S. M. Wilson Co. for Professional Services Related to the Shaw Park Ice Rink by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6856 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6856, an ordinance to approve an amendment to the contract with S.M. Wilson for the demolition project in Shaw Park to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6855, second reading, an Ordinance Approving an Addendum to the Contract with S. M. Wilson Co. for Professional Services Related to the Shaw Park Ice Rink by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6715 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING THE 3RD QUARTER AMENDMENT TO THE FISCAL YEAR 2021 BUDGET

Janet Watson, Director of Finance, reported that the City reviews and adjusts budgeted revenues and expenditures on a quarterly basis to respond to changes as the fiscal year progresses and to update the Board regarding budgetary issues. As part of the quarterly budget review, staff is presenting for their consideration the third amendment to the Fiscal Year 2021 (FY21) budget.

Alderman Lintz introduced Bill No. 6857, an ordinance to approve the FY2021 3rd Quarter Budget amendment to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6857, first reading, an Ordinance Amending the Fiscal Year 2021 Budget and Appropriating Funds Pursuant Thereto by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6857 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6857, an ordinance to approve the FY2021 3rd Quarter Budget amendment to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6857, second reading, an Ordinance Amending the Fiscal Year 2021 Budget and Appropriating Funds Pursuant Thereto by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6716 of the City of Clayton.

AN ORDINANCE TO CONSIDER APPROVING AN AGREEMENT WITH THE SCHOOL DISTRICT OF CLAYTON FOR SCHOOL RESOURCE OFFICERS

City Manager Gipson reported that in the fall of 1997, the city entered into an agreement with the Clayton School District to provide a School Resource Officer at Clayton High School. Partial funding for the position was provided through a federal grant. The grant paid for one-third of the cost of the officer while the School District paid one-third as did the city. In 1999, an agreement was reached to also provide a School Resource Officer at Wydown Middle School. As Federal funding was still available, the one-third agreement was continued for that position as well.

In 2003, Federal funding was no longer available with the exception of one year remaining on the School Resource Officer position at Clayton High School. At that time, the City and School District entered into a three-year agreement to continue the School Resource Officer program at both the High School and Middle School. The agreement was that the city and the School

District would each pay 50% of the cost of the officer at each school. In 2009, an agreement was made with the School District that they would pay 75% of the cost of the officer at each school. The last agreement renewal was approved in 2018 and is now due to expire at the end of August. The proposed terms for renewal will continue the 75%/25% School District/City cost sharing arrangement.

The Board of Education approved the agreement at its August 18, 2021 meeting.

Chief Mark Smith was in attendance to answer questions.

Alderman Lintz introduced Bill No. 6858, to approve an agreement with the School District of Clayton for School Resource Officers to be read for the first time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6858, first reading, an Ordinance Approving a School Resource Officer (SRO) Agreement with the Clayton School District by title only.

The motion passed unanimously on a voice vote.

Motion made by Alderman Lintz that the Board give unanimous consent to consideration for adoption of Bill No. 6858 on the day of its introduction. Alderman Berkowitz seconded.

The motion passed unanimously on a voice vote.

Alderman Lintz introduced Bill No. 6858, to approve an agreement with the School District of Clayton for School Resource Officers to be read for the second time by title only. Alderman Berkowitz seconded.

City Attorney O'Keefe reads Bill No. 6858, second reading, an Ordinance Approving a School Resource Officer (SRO) Agreement with the Clayton School District by title only.

The motion passed on a roll call vote: Alderman Lintz – Aye; Alderman Berkowitz – Aye; Alderman McAndrew – Aye; Alderman Buse – Aye; Alderman Patel – Aye; Alderman Feder – Aye; and Mayor Harris – Aye. The bill, having received majority approval was adopted and became Ordinance No. 6717 of the City of Clayton.

Other

Alderman Berkowitz reported on the following:

- Plan Commission/ARB – H3 presentation; questions were raised regarding setbacks and efforts to “protect” downtown.

Alderman McAndrew reported on the following:

- CRSWC – Rubin Brown provided an audit presentation; the Commission discussed the mask mandate for the Center of Clayton.

Alderman Buse reported on the following:

- Musical Nights at Oak Knoll – the bank was good and enjoyed the music.

Alderman Patel reported on the following:

